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OFFICE OF PETITIONS

In re Application of :
Jeffery Owen Phillips :
Application No. 10/795,860 :
Filed: July 12, 2004 :
Attorney Docket No. 04242373 : DECISION ON PETITION
Title: NOVEL SUBSTITUTED :
BENZIMIDAZOLE DOSAGE FORMS AND :
METHOD OF USING SAME :

This is a decision on the petition submitted on July 12, 2004.

On March 8, 2004, the above-identified application was deposited. On May 26, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice of Incomplete Nonprovisional Application - Filing Date Not Granted (notice)", advising applicant that the application was deposited without drawings, and that a filing date would be accorded upon the submission of the drawings.

On July 12, 2004, Petitioner submitted a "Response to Notice to File Missing Parts," along with Figures 1-5 and payment of the petition fee. On August 23, 2004, a decision was mailed which granted this petition, and on August 31, 2004 a decision was mailed which vacated this petition and erroneously stated that the petition fee had not been received.

The Office regrets this error. The decision mailed on August 31, 2004 is hereby VACATED. The decision mailed August 23, 2004 is REINSTATED.

As such, the application file is being returned to OIPE for further processing with a filing date of July 12, 2004, the date

of receipt of the formerly omitted items, Figures 1-5, using the original application papers filed March 8, 2004, and the figures submitted with the original petition on July 12, 2004. OIPE will then mail a corrected filing receipt.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.

A handwritten signature in black ink, appearing to read "Paul Shanowski", with a stylized, flowing script.

Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office